

MESSAGE NO: 5363112 MESSAGE DATE: 12/29/1994

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: REV-Revocation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-035

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/02/1994 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: REVOCATION OF THE ANTIDUMPING ORDER ON CADMIUM FM JAPAN (A-588-035)

MESSAGE NO: 5363112

DATE: 12 29 1994

CATEGORY: ADA

TYPE: REV

REFERENCE:

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CASES: A - 588 - 035

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PERIOD COVERED: 11 02 1994 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, TRADE COMPLIANCE DIVISION

RE: REVOCATION OF THE ANTIDUMPING ORDER ON CADMIUM FM JAPAN
(A-588-035)

1. WE HAVE CONCLUDED THAT THE PETITIONER (NON-FERROUS METALS PRODUCER COMMITTEE) IN THIS CASE IS NO LONGER INTERESTED IN THE ANTIDUMPING DUTY FINDING ON CADMIUM FROM JAPAN. THE DEPARTMENT HAS REVOKED THIS ANTIDUMPING DUTY FINDING AND PUBLISHED THE REVOCATION IN THE FEDERAL REGISTER ON NOVEMBER 2, 1994.
2. EFFECTIVE NOVEMBER 2, 1994, TERMINATE SUSPENSION OF LIQUIDATION OF CADMIUM FROM JAPAN AND FOR ALL ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, ON OR AFTER AUGUST 1,

1994, LIQUIDATE SUSPENDED ENTRIES WITHOUT REGARD TO ANTIDUMPING DUTIES.

3. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 788 OF THE TARIFF ACT ON 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

4. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 353.26 OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE FORWARDED VIA E-MAIL, THROUGH THE REGIONAL ANTIDUMPING/COUNTERVAILING DUTY COORDINATOR, TO THE TRADE COMPLIANCE DIVISION, ANTIDUMPING/COUNTERVAILING DUTY BRANCH USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND

INTERESTED PARTIES SHOULD CONTACT ROY UNGER ON 202-482-0651,
OFFICE OF ANTIDUMPING COMPLIANCE, IMPORT ADMINISTRATION,
INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF
COMMERCE.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party